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DRAFT REPOSITORY SEIS

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AND

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DRAFT NEVADA RAIL CORRIDOR SEIS

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AND DRAFT RAIL ALIGNMENT EIS

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PUBLIC COMMENTS

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REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

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Taken at the Caliente Youth Center

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U.S. Highway 93

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Caliente, Nevada

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on Thursday, November 15, 2006

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at 5:30 p.m.

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Reported by: Daren S. Bloxham, CCR No. 685, RPR

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1 P-R-O-C-E-E-D-I-N-G-S

2 --oOo--

3 KEVIN PHILLIPS: Thank you very much.

4 Particularly, I'd like to thank the Department of Energy
5 for, again, coming to the city of Caliente to hold a
6 hearing wherein our people can come and learn and
7 understand and offer comments on this project.

8 I'm very grateful, also, that you kind of
9 accommodated me a little bit early. I have another
10 commitment in Alamo here in an hour, so I'll shortly be
11 on the road.

12 I'm Kevin Phillips. I'm serving in my 15th
13 year as the mayor of Caliente, Nevada. Many citizens of
14 Nevada and the nation understand that nuclear energy is
15 an essential component of our nation's national
16 portfolio for energy, and it's necessary to provide for
17 our baseload energy requirements while minimizing
18 harmful emissions.

19 Many Nevadans also believe that Nevada can and
20 should play a major role in our energy independence in
21 achieving this task. Nevada's leadership would like the
22 Congress and the Department of Energy to believe that
23 all Nevadans adamantly oppose the development of
24 Yucca Mountain, of the Yucca Mountain repository.

25 This is not true. I personally know that most

1 Nevadans are truly ill-informed as to the facts of this

2 subject and simply respond negatively to polls asking if
3 they are in favor of a dump. Who wouldn't respond this
4 way when the question is framed in this manner and in
5 the context of quite a lack of knowledge and
6 understanding regarding the matter?

7 There is a significant cross-section of the
8 citizens of Nevada who want to help solve the national
9 energy crisis and lead Nevada to become one of the most
10 technologically and scientifically advanced regions of
11 the world.

12 These Nevadans are pragmatic solution-oriented
13 leaders who first and foremost want to ensure that the
14 Yucca Mountain project is constructed in accordance with
15 sound science and operated in a way that safety is
16 always the number one consideration.

17 We agree with the President and with Congress
18 that the science conducted at Yucca Mountain confirms it
19 to be a suitable site for a geologic repository.
20 Furthermore, we recognize that the same amount of used
21 nuclear fuel and high-level waste that's to be shipped
22 to Yucca Mountain has already been shipped worldwide
23 both in the United States and internationally without a
24 single radioactive release that has resulted in harm to
25 the environment or any individual.

5

1 In fact, immediately upon the commencement of
2 used fuel shipments along the county rail line, my
3 citizens will experience an increased amount of risk

4 from hazardous material shipments.

5 As a railroad town with very little emergency
6 response resources, the citizens of Caliente are at risk
7 every day with chlorine cars and other volatile
8 hazardous substances.

9 The increased emergency response capability
10 that will accompany the shipment to Yucca Mountain will
11 greatly enhance the everyday safety of my citizens from
12 a risk management perspective.

13 Congress and the DOE have a tremendous
14 opportunity to make Yucca Mountain one of the most
15 important and successful public works projects in the
16 history of human existence. Washington has been given
17 all the information it needs to make smart decisions and
18 accomplish this goal.

19 Our government needs to create an opportunity
20 for real meaningful economic diversification, and it
21 needs to start doing real things now rather than later.
22 This project is far from being broke.

23 If the Congress and the DOE -- I should say
24 that scientifically, not financially perhaps. If
25 Congress and the DOE are truly committed to the ultimate

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1 energy independence and energy security, this can be
2 achieved.

3 I respectfully suggest a few things. Why
4 don't we change the name of the site of Yucca Mountain

5 to the National Energy Reserve at Yucca Mountain? This
6 modification highlights the value of what we truly are
7 dealing with. This name change coupled with the
8 following additional suggestions changes the way this
9 project is viewed by the citizens of Nevada.

10 Build a railroad from the city of Caliente to
11 the National Energy Reserve at Yucca Mountain. The
12 Record of Decision issued by the DOE refers to this
13 route as the Caliente Corridor. After this final EIS
14 has been completed, the DOE needs to issue the Record of
15 Decision on a specific alignment within the corridor,
16 and the Congress then needs to provide the funding to
17 commence construction of the railroad.

18 Ship used fuel to the National Energy Reserve.
19 Here the fuel can further cool in a remote, protected
20 environment. Litigation pressures are relieved and
21 enhanced safety is achieved. The fuel is collected in
22 several locations awaiting reuse.

23 Change the name of the Caliente Corridor to
24 the Central Nevada Energy Corridor. Numerous sites
25 along this new rail line are prime locations for

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1 placement of new electrical generation power plants of
2 various types.

3 These energy zones could be prelicensed and
4 would provide great incentive for companies to build new
5 electrical generation resources, including nuclear,
6 clean coal, solar, wind, and geothermal. Designate the

7 National Energy Reserve as the location for the nation's
8 used fuel recycling facilities.

9 Build such facilities as soon as time and
10 technology permits. Do this in conjunction with
11 Nevada's university system. The Nuclear Waste Policy
12 Act gives Nevada preference for such things.

13 It makes total sense. Move the fuel once.
14 Recycle it. Place the small amount of waste left over
15 deep underground in the repository. Move the new fuel
16 assemblies to a nearby generation facility on the
17 Central Nevada Energy Corridor and produce electricity.

18 I respectfully offer the following suggestions
19 and comments relative to the Yucca Mountain Supplemental
20 EIS and the Rail EIS. Transportation of used fuel is
21 not new to the United States. Over the past 30 years,
22 more than 2,700 shipments of fuel have been completed
23 safely by both government and industry.

24 There is even more experience worldwide over
25 the last 25 years. More than 70,000 metric tons of

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1 uranium has been shipped in about 20,000 casks.
2 Building a railroad is over a billion dollar project and
3 represents an opportunity to diversify Nevada's economy.
4 Shared use of this railroad is important to Nevada.

5 I support selection of the Caliente Corridor.
6 Construction should begin as soon as possible. As the
7 shipments will go through or near Caliente, we should

8 have the best in class of emergency response training
9 and equipment and facilities, such as the transportation
10 operation center, rail maintenance center, cask
11 maintenance facilities, and others that would be
12 appropriate.

13 The Department should choose the old Caliente
14 to Pioche railroad route and not the Eccles option. The
15 Eccles option would put the railroad right through the
16 middle of the acreage designated by Lincoln County as
17 much needed community expansion area. The old railroad
18 route does no such thing and would be less costly to
19 construct.

20 The plans indicate that the DOE will build a
21 rail yard proximate to Caliente in one of two identified
22 locations. I recommend in choosing the Indian Cove
23 option rather than the Upland option. The Upland yard
24 will displace an active farm and several dwellings.

25 The Cove Yard does no such thing. Cove Yard

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1 will be more functional for the operations as it is next
2 to the main line. Switching train crews, fueling
3 locomotives, and stockpiling construction materials
4 would be greatly simplified and more economical.

5 The Cove Yard location is no wetland unless
6 the water is physically turned out of the Meadow Valley
7 Wash and diverted to that location. Otherwise, the
8 location dries up.

9 The construction of this railroad anywhere and

10 its inherent acquisition of rights-of-way will obviously
11 displace some individuals, modify certain agricultural
12 operations, and disrupt typical practices. These
13 individuals and property owners must be fairly and
14 adequately compensated for this.

15 What will the process be that guarantees fair
16 and adequate compensation? Perhaps an independent body
17 with authority should be established for appeal and
18 review in the event a property owner is aggrieved and is
19 not fairly compensated.

20 Again, I wish to thank the Department for
21 coming here. The city has hosted many such hearings.
22 I'm grateful you will consider our suggestions. Thank
23 you. I have with me -- I have several people that have
24 asked me who could not come tonight to deliver their
25 testimonies that are written in here and enumerated and

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1 addressed at the front registration desk.

2 BOB HALSTEAD: Good evening and thank you
3 everybody who's here. I also want to say thank you to the
4 Department of Energy for returning to this more traditional
5 form of taking this format for taking public comments on
6 environmental impact statements, project documents, and so
7 forth.

8 Many people have expressed concern over the
9 past couple of years about the absence of this kind of
10 an opportunity for people to give comments in front of

11 their neighbors as opposed to speaking to the court
12 reporter, which is perfectly fine if you prefer to speak
13 to the court reporter. So, again, I just want to start
14 off by saying that we acknowledge and appreciate having
15 this type of a forum.

16 There are obviously many, many things we can
17 say about these humungous documents. Those of you who
18 have been looking at them know that we're talking about
19 thousands of pages, and we're still in the process of
20 preparing our work plan for the next two months of work
21 that we'll do.

22 So the comments I'm going to give you tonight
23 are preliminary. I do want to say that I am the
24 transportation advisor for the State of Nevada Agency
25 for Nuclear Projects. We have a team of people who are

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1 working on different aspects of both of these
2 Environmental Impact Statements, and you can call our
3 agency in Carson City at 775-687-3744, that's
4 775-687-3744, and ask for any help that you want in
5 preparing your own comments or seeing what our
6 explanation of a particular technical point is.

7 I have prepared a little handout that --
8 unfortunately it's in very small print, so you'll have
9 to wear your reading glasses to read it, but it's over
10 on the table over here. I'm not going to go through the
11 whole thing, but if you're interested, you can see some
12 of the other points so that we stay within the

13 five-minute limit tonight.

14 I'm going to break my comments into two parts.
15 The first is the General Supplemental Environmental
16 Impact Statement, and I want to emphasize that there are
17 some procedural concerns that the state has.

18 First, we believe that there are limited
19 hearing opportunities outside Nevada. This is important
20 because the proposed TAD canister system would affect
21 all 72 of the shipping sites in one way or another.

22 The majority under DOE's plan would use them.
23 Even the ones that can't would also be affected by DOE's
24 transportation plan. And there's only one hearing in
25 Washington, D.C., and one in Lone Pine, California.

12

1 Secondly, the 90-day comment period is in our
2 opinion not adequate given the complexity, the size, and
3 importance of these documents. We requested an
4 additional 60 days, and we hope that anyone else who
5 thinks they need that time would join us.

6 Thirdly, we don't think DOE has given
7 themselves enough time to actually look at the comments
8 and come up with a good final document. They have a
9 self-imposed target date for getting their license
10 application to the NRC next June. That, unfortunately,
11 we believe is going to limit what they might do in
12 response to comments.

13 Finally, there's an unclear relationship

14 between these two Environmental Impact Statements, these
15 drafts and the Final EIS from 2002. Particularly, when
16 you look at the no action alternatives, it's not clear
17 whether a fallback to the 2002 final EIS is, in fact,
18 the contingency plan if for some reason the Caliente
19 Rail Corridor is rejected and/or the TAD canister system
20 is rejected.

21 A few brief comments about the TAD.
22 Understand that the Supplemental Draft EIS is required
23 and justified primarily because DOE has come up with a
24 new hardware plan. I hate to say that it's something of
25 a silver bullet, but I've been around the hardware

13

1 planning for the nuclear waste -- the national nuclear
2 waste system for a long time.

3 And there are many positive conceptual things
4 about the TAD canister system, but the big problem is
5 that the designs aren't final yet. There may or may not
6 be designs that have been -- that have gone through the
7 Nuclear Regulatory Commission safety analysis process by
8 next June.

9 There's great uncertainty in the utility
10 industry about whether they want to actually use the
11 TADs. About 25 of the 72 reactor sites don't have rail
12 access that would make it easy for them to use the TADs.

13 And regarding the 10 percent or so of the
14 spent fuel that might be shipped by truck, DOE is now
15 saying that this would be made in overweight as opposed

16 to legal weight trucks. There are a lot of
17 transportation uncertainties that come out of the TAD
18 canister proposal, but there are also uncertainties just
19 about whether it's going to work, period, whether the
20 utilities will adopt it.

21 I guess one other thing I would like to say
22 about the TAD system is in relation to transportation.
23 DOE is saying that most of the transportation, perhaps
24 90 percent would be by rail. But even DOE says
25 10 percent might have to come by truck.

14

1 We think looking at the shipping sites that it
2 would be more like 25 to 35 percent by truck. Whether
3 it's shipped by truck or by rail, we believe there are
4 still a number of transportation safety and security
5 issues that haven't been completely considered or
6 considered adequately.

7 One is worst case accidents versus what DOE
8 calls reasonably foreseeable accidents. Another
9 involves specifically long-duration, high-temperature
10 fires in accidents, the issue of predicting what happens
11 in a successful terrorist attack.

12 To their credit, DOE has been more up front,
13 frankly, in dealing with this issue than the Nuclear
14 Regulatory Commission. We still think that they tend to
15 underestimate the consequences, but we acknowledge that
16 they have done more than the Nuclear Regulatory

17 Commission in actually evaluating what might happen and
18 putting the numbers in their document.

19 Let me just say a couple other things. The
20 issues of human errors and unique local conditions need
21 to be rolled into transportation safety. Those are some
22 of the general issues that mostly affect the
23 Supplemental EIS that I wanted to speak about tonight.

24 Now, keeping these two documents separate is
25 somewhat difficult, because then when we turn and look

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1 at the Caliente Corridor proposal and look at the way
2 that that would affect the state of Nevada and the
3 nation, you can't look just at the -- at the Rail EIS
4 and get all the information you need.

5 You really have to look at the transportation
6 chapter. There's an appendix called Appendix G that
7 really lays out I think very accurately all the areas of
8 disagreement between the Department and various
9 stakeholders in the state of Nevada.

10 So let's look at two specific -- actually,
11 three specific issues in the Rail EIS and in the
12 Supplemental EIS that deal with what the selection of
13 Caliente Corridor means.

14 The first thing that I want to say are a few
15 general things about the way that the environmental
16 impacts are dealt with. We don't believe that the
17 Caliente Corridor proposed rail line impacts on land use
18 conflicts have been adequately addressed, particularly

19 with the ranching, mining, recreation, and cultural
20 resources.

21 We have some general concerns that some of the
22 alternative segments that seem to have been eliminated
23 from future consideration, sometimes long circuitous
24 routes. Those of you who are familiar with the specific
25 document here, some of these alternatives seem to have

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1 been ruled out because they would cost a few tens of
2 millions of dollars more, but they would address the
3 specific concerns of the affected landowners.

4 This is going to be a really interesting legal
5 question we've discussed with the lawyers. They say
6 they're not going to want to take any cases to federal
7 court until a final action, like a final EIS and Record
8 of Decision come out.

9 But the notion that certain alternatives, for
10 example, to the way you get from the UP main line up to
11 Bennett Springs, the way that you get around Timber
12 Mountain Pass and the White River alternative, the
13 Coal Valley and Garden Valley alternatives.

14 What about the possibility of Murphy Gap which
15 has been suggested? A couple of options for getting
16 around Reveille Valley. And, of course, there's quite a
17 bit of concern in the Goldfield Mining District.

18 So when we look at the discussion, and I hate
19 to sound like a geek on this, okay, you go to Appendix C

20 in Volume 4 of the rail discussion, there's a very
21 interesting discussion there where DOE has put price
22 tags on the different alternatives.

23 And this is a very serious NEPA issue we feel.
24 The project cost has gone from 800,000,000 dollars now
25 to a projected cost of somewhere two to three billion

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1 dollars over five years of study. And given that that's
2 the case, to say that you take a least cost route
3 because it's more convenient and cheaper for the
4 Department as opposed to picking the route that has the
5 least adverse impacts, particularly in this area on
6 ranching and grazing and on residential home development
7 and recreation, also, we think there are some legal
8 issues there.

9 I spent too much time on that point, but
10 that's probably a really important point from the
11 standpoint of how if this is all done, understand the
12 state opposes Yucca Mountain, the state doesn't think
13 there is a high probability that Yucca Mountain is going
14 to go forward.

15 But if it were to go forward and the rail line
16 were to be built, it's important that it be built in a
17 way that causes the least adverse impacts; and to the
18 extent there are positive impacts, that it maximizes
19 those. That's what this discussion is all about.

20 I hope all the affected stakeholders here will
21 give their personal information about unique local

22 conditions to the Department. I'm going to wrap up by
23 saying that one other general issue about the Caliente
24 route that we're concerned about at the state level is
25 that when you look at the national routes from the 72

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1 shipping sites, DOE is underestimating the number of
2 these shipments that might come east to west on
3 southerly rail routes, come into Caliente, go into LA or
4 San Bernardino, and come back either through Las Vegas
5 if the Caliente option is chosen, or if the Mina option
6 were to be chosen, coming back through Reno.

7 So we've done our own mapping on the land use
8 impacts I was mentioning. Fred Dilker, who's our GIS
9 specialist, is preparing a set of maps like this on the
10 grazing allotments. We'll shortly be posting these on
11 our Website. We will be providing them to DOE as part
12 of our comments.

13 And anyone who would be interested in seeing
14 what we've done on the areas of your concern, again, if
15 you call 775-687-3744, we'll arrange to get copies to
16 you. We've also done some national mapping of the
17 routes that we think are actually most likely to be used
18 for the shipments to Caliente. And they're somewhat
19 different from the routes in the DOE's Environmental
20 Impact Statement.

21 We've actually been looking at the routes that
22 the railroads have already told DOE they're most likely

23 to use, whereas DOE has been looking at what they call
24 representative rail routes that might or might not be
25 used.

19

1 I think that's a good place for me to end.
2 Again, I'd like it say that we appreciate the fact that
3 DOE has restored this traditional format for taking
4 input from the public. We're happy that all of you are
5 here, and we would ask that anyone who thinks that we
6 can be of assistance to them in preparing their
7 comments, please get in touch with us.

8 JAN COLE: I suffer stage fright, so if my voice
9 starts to quiver, don't worry about me. John and I have
10 been involved here in this community for about six years.
11 We own the Caliente Hot Springs Motel and Spa. We also
12 own -- well, a total of about 152 acres within the city
13 limits of Caliente.

14 I'm a real estate broker. I specialize in
15 land and water rights in my business. And so our
16 concern is that this route -- and I see the new issue of
17 track says the preferred route is to come right into the
18 town of Caliente. This is our concern.

19 The book here -- and I would ask the residents
20 of Caliente, are there people here that own property
21 within the city limits of Caliente? Okay. Well, it
22 says here that, "The region of influence for
23 radiological impact to members of the public during
24 incident-free transportation includes the area of a half

25 a mile on either side of the center line of the Caliente

20

1 rail alignment, which for purposes of analysis includes
2 operations of cask trains, repository construction, and
3 supply trains from Caliente or Eccles to the rail
4 equipment maintenance yard."

5 Okay, the radiological region of influence is
6 a half mile each side of the track. They say in their
7 table on the facing page that this alignment then
8 affects a population of 279 people.

9 I'm in the real estate business. Anytime
10 there is anything that needs to be disclosed about your
11 property, it's the law. And as a broker, it's the law
12 that I disclose it. Every house that's within a half a
13 mile of this rail track if it comes into the town of
14 Caliente, as a broker, I will have to disclose to any
15 potential buyers that it is within the radiological
16 region of influence of this track, okay. So I wanted
17 people who own property in this town to understand that.
18 Okay.

19 They say on the table that the Eccles
20 alignment affects a population of 78 people, which I
21 don't know that many -- I can't imagine that there's 78
22 people along the Eccles route, but there must be. But
23 I'm just -- 279 affected on it coming into town I
24 believe is a number that needs to be adjusted.

25 If you take the map of Caliente where the

1 train will come in, it's going to affect all of the
2 homes pretty much up to MacArthur all the way around.
3 And I don't know if the state's had any discussions
4 about the Caliente Youth Center, because the Caliente
5 Youth Center will also be within the radiological region
6 of influence. And whether the state can continue to
7 house students in that area, I would be hard pressed to
8 think they could.

9 So that's one thing I'd like to talk about.
10 The other thing I'd like to talk about is the Caliente
11 Hot Springs Motel and Spa. There are several references
12 to the fact that the spa, access to the spa will be
13 affected.

14 Now, Mr. Allen told the people that I was
15 standing next to at his table that no access for anybody
16 in the public or business would be affected. I just --
17 I find it in here four times. In fact, in the section
18 "Impacts Common to the Entire Caliente Rail Alignment"
19 under the "Summary of Impact: Temporary elimination of
20 access to Caliente Hot Springs, long -- after
21 construction, during operations, operational impacts,
22 long-term reduced and potentially eliminated access to
23 the Caliente Hot Springs."

24 So I don't know, it's been -- the hot springs
25 have been here since the ancient Indians used them

1 medicinally. And we had hoped to continue to improve
2 that property and to improve tourism into this town.
3 And I can tell you I've been involved in tourism for my
4 entire career, as well as real estate that when you
5 become the train town, you can just about forget
6 tourism.

7 Now, if the Eccles route does not come into
8 the town of Caliente, the town of Caliente will not be
9 branded as the nuke train town, and I do not believe
10 that it would affect tourism. I do believe that when
11 this train comes into the town of Caliente, that is an
12 issue.

13 In fact, retirees that have been in contact
14 with me as a broker who are real anxious to reside in
15 this town, they come to me, they say, "Can I buy a house
16 in Caliente? We want to retire." The only thing that's
17 stopping them at this point is that there aren't any new
18 houses. There's no new construction for them.

19 This is something that we're working on with
20 the property that we own within the city limits. At
21 some point we hope to encourage tourism and retirees to
22 make this their town of choice. It certainly has the
23 recreation for that to happen. And I would hate to see
24 this train come into this town and stop the potential
25 that this town has in the long term.

23

1 There's one more statistic here that -- I

2 don't want to cut into John's time. But another
3 statistic here that I find interesting is under a
4 heading called "Other Nevada Transportation Impacts,"
5 this is really interesting stuff.

6 It says, "The total number of radiological and
7 non-radiological fatalities from truck shipments of
8 spent nuclear fuel with high-level radioactive waste
9 within Nevada would be about one chance in eight." So
10 if there's eight of you there in that row, one out of
11 eight of you will potentially be a fatality. Okay. So
12 that's a big number.

13 And these are big numbers. And I think that
14 as a community, we need to say where is the least amount
15 of impact in coming into the city of Caliente? I just
16 don't see it. I don't understand it. I wouldn't -- I
17 don't understand why anyone in Lincoln County would
18 think that's a good idea. And I would hope that the
19 people of Caliente understand the impact.

20 JOHN HUSTON: My name is John Huston. Jan and I
21 spend a lot of time in Caliente. We live in Las Vegas.
22 One of the things that -- sort of echoes the prior
23 comment -- in reading this document that sort of impacted
24 me was the fact that there are not hearings, really
25 significant number of hearings outside the area of

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1 Washington, D.C. and someplace on the West Coast, because I
2 think people in Las Vegas, if they knew that the Caliente
3 route meant that there was a real possibility of nuclear

4 waste coming through Las Vegas -- whereas the Mina route
5 does not include that sort of projection by the DOE --
6 would be absolutely amazed that the choice of route between
7 Caliente and Mina had that sort of impact.

8 I know the mayor of Las Vegas at one point in
9 time said he'd stand in the middle of the interstate
10 highway to stop trucks coming through town. I don't
11 know what he's going to think about the possibility of
12 rail haul coming past the 47 million dollars of
13 construction that he's got going on down there.

14 That's really not a Caliente issue, but it
15 does show, I think, the fact that there is very little
16 in terms of broad-based information and in terms of
17 consideration by the public at large.

18 A lot of these rail lines run through
19 St. Louis, they run through Salt Lake. Most all the
20 traffic comes through Salt Lake in one fashion or
21 another from the north. And so there are a lot of other
22 people involved here that are not going to be here
23 tonight that may not be at the table at any one point in
24 time.

25 The reason that that also sort of came to mind

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1 is that I didn't understand, and it is confusing reading
2 the document the nexus between the railroad and the
3 repository and whether or not there's a possibility that
4 this railroad would be approved, funded, and built and

5 yet no nuclear waste would ever go to Yucca Mountain.

6 And there is this shared rail usage that's
7 been talked about. And right now there's a few users
8 potentially of rail other than the military at the
9 Test Site. This rail is going to practically go around
10 that situation. So by default, is this a military
11 railroad? I haven't seen anything about the DOD
12 involved here or see those sort of comments.

13 The last thing I'd say is that -- and I
14 understand some the debate over this pelletization of
15 the waste and these canisters and that sort of thing,
16 but there's no discussion about the fact that
17 Meadow Valley Wash is in the Colorado River drainage.
18 Ultimately that's a water supply for 20 million people.

19 The Mina route would not bring that waste back
20 into the Colorado River Basin. The Caliente route does
21 do that. And so from that standpoint, it doesn't seem
22 like there's been very much consideration at all given
23 to watershed and routing this rail with referred to
24 watershed and that sort of thing. Thank you.

25 KEITH LARSON: I'm Keith Larson with the City of

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1 Caliente. I also appreciate the opportunity to address
2 everybody. Somebody asked me tonight, "Well, are you for
3 it or are you against it?" Well, if anybody would have
4 asked me in 1976 or '77 when they started this project
5 whether I was for it or against it, well, I wouldn't want
6 anything like this in my backyard, and neither would

7 anybody else.

8 But we didn't approach it in those days from
9 whether we wanted it or not. There was something like
10 3,000 people in the whole county. And we felt like we
11 needed an approach to this that made sense. So we
12 formed the JCCCIAC committee, Joint City County Impact
13 Alleviation.

14 Now, where are you going to find people in the
15 county, a rural county like we are that have the
16 experience to know what's going to happen? But one
17 thing that we did know was that when the federal
18 government decides that they're going to do something,
19 they do it.

20 Yucca Mountain is there. They've built the
21 repository. Whether I'm glad about it or not is not the
22 question. How do I react? I appreciated the remarks
23 that have already preceded me this evening, and I think
24 that the general concern is that we don't always get
25 what we want. But we need to have an assurance that

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1 what they take from us is duly compensated.

2 How can you take away the tourism
3 possibilities? We're working on that. I'm on a Lincoln
4 Community Action Team that wants a limited amount of
5 tourism. And why do I say that? Because, frankly, we
6 can't handle more than a limited amount. We're talking
7 about short tours and that type of thing.

8 The Caliente Corridor or the Eccles Corridor,
9 I have no idea which one they're going to choose. I do
10 have an idea, like Mrs. Huston suggested, that it would
11 completely provide a negative for that particular thing.
12 And that's -- we did some branding of our own. I am
13 concerned about it, and I will continue to be concerned
14 about it, whether we get those choices.

15 I want to also say that I want to thank the
16 JCCCIAC for the job they've done as far as trying to get
17 some answers to their questions. But as I look through
18 some of the documentation, I find that we have a lot to
19 be concerned about.

20 I can't answer for the ranchers. I have no
21 idea what kind of an impact that's going to have on
22 them. I've read a few comments already. And I don't
23 know about those routes that will follow out of Caliente
24 or the Eccles deal.

25 But I am concerned about that route through

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1 Caliente, what that's going to do and how that's going
2 to have an impact on us. Is it going to be positive?
3 Well, if they do pick the Caliente route, I want to make
4 sure that we're going to have the hospitals, the jobs,
5 and those kinds of things as alternatives to the
6 negative impact.

7 But I'm in hopes that we'll be able to find a
8 resolution to this, and we will be able to maintain the
9 rural lifestyle we're used to and we can get around this

10 thing. Anyway, that's all I've got to say. Thanks.

11 RON CLEMENTSEN: Good evening everyone. My name
12 is Ron Clementsen. I am the office manager for the
13 Caliente BLM field office. We are a cooperating agency on
14 this proposed action. But I am here tonight for only one
15 reason, and I'll be brief.

16 There needs to be some clarification
17 apparently for a misunderstanding. Folks, some folks
18 are under the impression that BLM is responsible for all
19 of the mitigations for the DOE rail lines. And so I
20 have been asked by my manager to be here tonight to
21 clarify that BLM is not responsible for the mitigations
22 for the DOE rail line. Thank you very much.

23 FRANK CESENA: Frank Cecena. I live in Dry
24 Valley north of here. I'm interested and that's why I
25 came. I saw the flyer last week. I decided to come down,

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1 hear what everybody had to say.

2 But I'll start off by saying I'm in favor of
3 nuclear energy. And I'll continue by saying that this
4 whole issue I think should be, how we say, controlled by
5 each individual state. I think this is big government
6 at work.

7 I think the cost and the impact on the
8 environment is just incredible. I can't see how anybody
9 can come up with such an idea to transport nuclear waste
10 from New York to Nevada. I mean, I just -- I just can't

11 buy it. I mean, it just -- the impact, the possibility
12 of derailment, in this age of terrorism that we live in
13 right now. You look at a southern border that's been
14 open for 50 years.

15 And I'm a California retiree, and I worked for
16 the state for 30 years. And I retired the day I got my
17 pension. And I live here now. And all my neighbors are
18 ranchers, and they take their cattle down to Dry Lake.
19 And I just can't imagine putting a new rail through this
20 great environment that we live in and Nevada has.

21 And you put that rail down and you have the
22 trains, and then how are you going to keep the wild
23 horses and the cattle away from the rail? That means
24 you've got to build a fence on both sides? I mean, it's
25 just like a convoluted, complex -- just too much.

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1 That's just all I've got to say.

2 TOMMY ROWE: My name is Tommy Rowe. I live here
3 in Caliente. And I'm here representing the County of
4 Lincoln. The only statement I'd like to make tonight is
5 that the county and the city has several consultants that
6 are going over all of this mass bunch of documents that we
7 have been given, and we will be making written comments in
8 regards to this rather than to try to squeeze them all in
9 tonight. We're going to be making lots of comments on
10 these. Thank you.

11 JAN COLE: I just have one more comment. On the
12 radiological region of influence, it also states here that

13 one of the facilities that's within the radiological region
14 of influence is the interchange yard. And by the map that
15 it shows here, the interchange yard is right there. I'm
16 assuming that's pretty close to where the old roundhouse or
17 whatever used to be.

18 So when they're talking about that half a mile
19 from the track, they'll also be -- that radiological
20 region of influence will also be from that interchange
21 yard, which will be right here downtown. So I just
22 wanted you guys to understand that. Because that --
23 that radiological region of influence will always be
24 there. It is a part of what goes on. It will be a
25 half-mile influence forever. So thank you.

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1 BOB HALSTEAD: I want to add just a couple
2 comments that -- let's be blunt about this. The state and
3 Lincoln County haven't always seen eye to eye on this
4 project. And on the other hand, one of the things that the
5 state is looking forward to is seeing the comments and the
6 consultant studies that Lincoln County has done to document
7 the stakeholders' views about unique local conditions and
8 impacts.

9 Now, we're doing some of this, but our
10 responsibility is to cover the whole area. And so we
11 can't do the Lincoln County or the Nye County in the
12 same detail. I just want to share with you a couple of
13 the -- actually, three of the specific concerns about

14 land use conflicts that we have heard from the
15 presentations that have been given so far to
16 Lincoln County that show that there are really some
17 similar points of view between what Lincoln County's
18 consultants are looking at and what the state's
19 consultants are looking at.

20 And that is when we look at the land use
21 impacts of the railroad, and I certainly do not want to
22 diminish the nuclear aspect of the railroad, okay, and
23 the stigma impacts that might occur in the city and so
24 forth, but when you get out -- when you get out of the
25 city, the real issue is that building the railroad is

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1 not just building the railroad, it's like building a
2 320- to 340-mile crushed stone wall that's got a
3 railroad on top of it and may or may not have fences
4 around it.

5 And so one issue for us is that DOE has to
6 look at these aspects of the railroad that have nothing
7 to do with nuclear waste, have nothing to do with
8 people's concerns about safety and terrorism, but have
9 everything to do with the way that the railroad itself.

10 The railroad for any purpose creates a
11 physical barrier to the movements of humans and
12 livestock and wildlife. That's issue number one. Issue
13 number two is -- and we're still digesting the 800 pages
14 or so in Volume 3 that talk about water use
15 requirements.

16 And you'll notice that now DOE is projecting
17 that they need a significant amount more water, maybe
18 eight or nine times what they originally projected.
19 Some of that is just because the construction plan is
20 better understood for dust suppression and things, some
21 maybe they just underestimated to begin with.

22 The point is they're projecting a much more
23 significant need for construction water, and there are
24 different ways to get water in the West. You can buy it
25 and truck it in. There's a proposal to build -- there's

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1 a proposal to drill a large number of new water wells
2 which, of course, is going to be complicated from a
3 regulatory standpoint dealing with the State Water
4 Engineer, dealing with ranchers who already have water
5 rights, for example, in Reveille Valley.

6 Issue number two where I think the concerns of
7 Lincoln County and Nye County and the state is actually
8 getting a good handle on these construction water use
9 requirements and the drilling of new wells for them.

10 The third one maybe doesn't initially jump out
11 at you, but, you know, a great amount of crushed stone
12 for subballast and ballast is required when you build a
13 railroad. And DOE -- there are also other construction
14 aggregate requirements.

15 DOE is proposing to build a number of quarries
16 along the route as opposed to one option, which would be

17 to bring in the ballast from existing ballast mines
18 in -- the ones that are best known are in Wyoming and
19 Missouri. We know DOE has done a lot of looking at
20 alternatives.

21 They talked to the Union Pacific about whether
22 they could piggyback their purchases of ballast and get
23 the Union Pacific's discount rate and then get a better
24 rate for shipping and so forth. There are alternatives
25 in many aspects of the construction of the railroad.

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1 A third one, and I think this more affects
2 Nye County than Lincoln County, with the quarry, the
3 size of the quarries that are being discussed, but
4 looking at whether it's really necessary to bring in
5 those construction materials and build these large
6 quarries along the route as opposed to -- these are the
7 kinds of questions that hopefully the counties are going
8 to look at in their work.

9 And, again, I've probably taken too much time,
10 but it's a rare and happy opportunity when the state and
11 Lincoln County can talk together about some shared
12 concerns. Thank you.

13 AL STENINGER: I'm Al Steninger, Western Range
14 Service, Elko, Nevada. We're consultants to Colvin & Son
15 Ranching Operation in Stone Cabin Valley in Nye County.
16 Before you were considering the Mina route, we were asked
17 for mitigation proposals, as it would have major impacts on
18 Colvin's operation.

19 I've been unable to find out what the status
20 of that is, when we can have a chance to talk about it,
21 and if it's even under consideration. We spent a good
22 deal of time submitting mitigation proposals to -- well,
23 to Resource Concepts Incorporated, who had I understood
24 a contract with DOE inviting the mitigation proposals.

25 That's within February of 2007. Haven't heard

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1 anything since. And we certainly would like an
2 opportunity to see what the status on that is and what
3 part is acceptable or not acceptable, because it has a
4 tremendous impact on our ranching operation. Thank you.

5 FRANK CESENA: When I referenced the states and I
6 forgot to include the fact that if this is left up to each
7 individual state to find a depository within their own
8 state and use existing infrastructure and rail and highway
9 systems, to me that would be an easier approach and less
10 costly.

11 And if the individual states needed assistance
12 from the federal government, well, fine. But keep your
13 waste in your own state, and keep the states accountable
14 and responsible for their own waste instead of
15 transporting it 3,000 miles across the country. That's
16 a full circle I wanted to make.

17 KATHY LeFEVRE: My name is Kathy LeFevre. I'm a
18 Lincoln County resident. I live in the Highland Knowles
19 subdivision. And I was looking at the maps earlier on one

20 of the proposed quarries that the other gentleman
21 mentioned.

22 And I doubt that there are very many
23 Lincoln County residents and I'm quite sure there are no
24 Highland Knowles residents that are aware that one of
25 these large quarries that are proposed is less than two

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1 miles from our houses.

2 Now, I would like to see that if these
3 quarries are proposed that these neighborhoods that are
4 going to be impacted by these quarries are notified in
5 advance, they're made aware of where the quarries are
6 going to be, what the potential impacts to their
7 neighborhoods are going to be.

8 That quarry is south and a little west of my
9 house. I bet it's probably less than a mile as the bird
10 flies. I know if that quarry is very large, I'm going
11 to see dust, I'm going to see increased traffic, I'm
12 going to hear noise. There's going to be big trucks on
13 the road.

14 And that goes up into the Highland Knowles,
15 into the foothills that go uphill. So there's going to
16 be erosion concerns. These things need to be addressed,
17 and the people along the corridors where that
18 construction material is going to travel need to be
19 notified before any plans or any construction is done.

20 That's going to be a huge impact along the
21 Highway 93 corridor and to the -- appeal to the

22 communities of Highland Knowles, Indian Ridge, and
23 probably Beaver Dam, not to mention Panaca and Pioche as
24 they go north to build the railroad corridor. I'd like
25 to see that addressed by the county and by this EIS.

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1 Thank you.

2 (The proceedings concluded at 8:00 p.m. on
3 this, the 15th day of November, 2007.)

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1 C E R T I F I C A T E

2 STATE OF NEVADA)

3 COUNTY OF CLARK)

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5 I, Daren S. Bloxham, a Notary Public and
6 Certified Shorthand Reporter, hereby certify that at the
7 time and place set forth in the caption hereof, I reported
8 in stenotype all testimony adduced and other oral
9 proceedings had in the foregoing matter; that thereafter my
10 notes were transcribed through computer-aided
11 transcription; and the foregoing transcript constitutes a
12 full, true and accurate record of such testimony adduced
13 and oral proceedings had, and of the whole thereof.

14 Witness my signature at Las Vegas, Nevada, on
15 this 18th day of November, 2007.

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18 _____
DAREN S. BLOXHAM

19 C.C.R. #685

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DRAFT REPOSITORY SEIS

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PUBLIC SCOPING COMMENTS

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REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

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Taken at the Caliente Youth Center

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U.S Highway 93

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Caliente, Nevada

19

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On Thursday, November 15, 2007

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At 5:30 p.m.

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Reported by: Deborah Ann Hines, CCR #473, RPR

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1 PATRICIA LONG: 300 Long Acres Lane. I live
2 six miles, maybe seven miles outside north of
3 Caliente on Highway 93 on Wild Horse Mesa.

4 First of all, I've already done this one
5 time and have yet to see anybody come up to see where
6 our house is. And where you people want to put the
7 train is right in our backyard.

8 And now I just found out that that's where
9 they want to momentarily store it until they can
10 switch it over, and I don't want it. And I'd also
11 like to know how many of you guys in this room want
12 it in your backyard. That's about it. I think the
13 whole thing is really a crock of shit.

14 JOHN ALLEN: 1295 North Spring Street, Caliente,
15 Nevada. And the reason I'm here is to express my
16 concern of losing my property along this rail route.

17 My property is located on the old Pioche
18 branch line. And I've lived on this property for
19 20 years and it has been in my family for 46 years.
20 The size of the property is 2.9 acres. I have a
21 garage, a pump house and a home of approximately
22 1200 square feet.

23 And if this rail is to be built leaving
24 Caliente going north, this would directly effect my
25 property and it is my understanding that I could no

1 longer inhabit that property. That's my concern.

2 DOROTHY RAY: 375 Osborne Street, Caliente.

3 I was born and raised in this town. I'm still here.

4 I'm over 80 years old, and I emphatically resent this
5 railroad and Yucca Mountain.

6 We had this big meeting last year and I gave
7 some comments, but I'm just now finding out about
8 these quarries. I'm just now finding out about -- I
9 was told that it's a thousand feet on -- it's
10 500 feet on each side of the road bed, a thousand
11 feet. That will take out the international highway
12 up here. It will take out 12 miles of the highway
13 from here to Panaca.

14 Why did they ever pick the most populous
15 side of Lincoln County to do this? They're going to
16 approve -- there's people coming up telling me
17 they're just about ready to sell and move out.

18 And that one lady mentioned that if we had a
19 derailment, it would probably take out the whole
20 middle section of town, which is where I live. And
21 I'm only two blocks from that railroad where they're
22 going to bring it in.

23 And this whole railroad is going to disturb,
24 and it will take out all the tourism. One by one the
25 businesses will leave. Everything will, over a

1 period of a few years, will be deserted and gone,
2 just like it did in New Mexico when it filled up that
3 waste isolation pilot plant in Carlsbad, New Mexico.
4 That little town is now a ghost town. And they
5 promised them everything. I don't care what they
6 promise.

7 No railroad in the United States would ever
8 or could build one like this planned. We're railroad
9 people. And I've talked to several up here in the
10 last few months about this knowing this meeting is
11 coming. And being an old time long railroader, I
12 know what I'm talking about. The idea of building
13 the railroad across three tall mountain ranges is
14 something no railroad in this country would every do.
15 They'd find some other way to do it.

16 JOE ROSSI: P.O. Box 1061, Caliente, 89008.
17 I've been to a lot of these meetings and this is the
18 first one I actually learned something. I have a lot
19 of faith in the program and how it's going to work
20 and everything, but running it from the city of
21 Caliente through the route that you want to take to
22 get up to Good Springs to me is ludicrous. It's the
23 most dangerous. It's going to destroy a lot of
24 history.

25 This whole area is about history. That's

1 what attracts retired people here to live here. It's
2 growing slowly. But when you put this into the city,
3 it's going to disrupt everything, everything that the
4 whole town is about.

5 The Hot Springs Hotel would be no more. The
6 hotel has been there for 200 years. The Anasazi
7 Indians 9,000 years ago, there's evidence here that
8 they used that hot water as a hot springs to bathe
9 and whatever. There's, you know, wagon trains that
10 would go out of their way on the Santa Fe trail to
11 use the hot springs. There's a lot of history and
12 that shouldn't go away.

13 There's the hospital right there. It's got
14 to have an effect on those people. It's basically a
15 hospice. People can't be taken care of at home
16 anymore, the elderly, that's what they do. And they
17 do a fine job, those people, but it's going to
18 disrupt those people. It would have to have an
19 effect on them, you know.

20 I don't know, I'm sure you have relatives
21 that are aged. They're up all hours of the day and
22 night. They never, you know, clocks don't mean
23 anything to them. When they have their eyes open,
24 they do it. That's going to have an effect on them.

25 There's been, you know, new buildings put up

1 along there, the pharmacy, and there's a gym there
2 and a brand new laundry mat. The laundry mat, big
3 thing for this town, you know. It's going to affect
4 a well-established way of life. That's basically it.

5 I've never gotten emotional at any of it.
6 I've always had confidence this was being done right,
7 and I felt very confident if it did go this way it
8 would go up to Eccles and around, which is 500 feet
9 from my property where I live. And I still don't --
10 I'm not skeptical about that in any way. I still
11 feel safe, but to ruin the history would be a sad
12 story.

13 (Thereupon the proceedings
14 were concluded at 8:00 p.m.)

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1 CERTIFICATE OF REPORTER

2 STATE OF NEVADA)

3 SS:

4 COUNTY OF CLARK.)

5 I, Deborah Ann Hines, certified court
6 reporter, do hereby certify that I took down in
7 shorthand (Stenotype) all of the proceedings had in
8 the before-entitled matter at the time and place
9 indicated; and that thereafter said shorthand notes
10 were transcribed into typewriting at and under my
11 direction and supervision and the foregoing
12 transcript constitutes a full, true and accurate
13 record of the proceedings had.

14 IN WITNESS WHEREOF, I have hereunto affixed
15 my hand this ____ day of _____, 2007.

16

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19 _____
Deborah Ann Hines, CCR #473, RPR

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